

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF CODES AND STANDARDS**

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December 8, 2006

INFORMATION BULLETIN 2006-04 (MP, SOP)

**TO: Mobilehome and Special Occupancy Park Local Enforcement
Agencies
Mobilehome Park Operators
Special Occupancy Park Operators
Mobilehome Park and Special Occupancy Parks Interested Parties
City and County Building Officials
Division Staff**

SUBJECT: 2006 LEGISLATIVE CHANGES

This Information Bulletin summarizes legislative changes to the California Health and Safety Code, Civil Code, and Public Utilities Code relating to mobilehome parks and special occupancy parks enacted in the 2006 legislative session. These changes become effective January 1, 2007.

➤ **Chapter 890, Statutes of 2006 (Senate Bill No. 286, Lowenthal) amends Sections 18027.3, 18552, 18909, of the Health and Safety Code related to mobilehome and special occupancy parks. Other amendments to the Health and Safety Code and the Revenue and Taxation Code contained in this bill are unrelated to manufactured homes and mobilehome and special occupancy parks.**

- Health and Safety Code section 18027.3 is amended to change the referenced construction standard for new recreational vehicle construction. In order to determine whether a recreational vehicle is substandard (CCR 25, sections 1607 and 2607), the construction standard will vary depending upon whether the vehicle was constructed before January 1, 1999; between January 1, 1999, and July 13, 2005; or after July 14, 2005.
- Health and Safety Code section 18552 is amended to lower the elevation for the application of a snow roof load maintenance program in mobilehome parks to 4,000 feet and to allow a cabana to be included in that program.
- Health and Safety Code section 18909 is amended to make technical changes regarding the definitions of a building standard. The amendment revises the California

Building Standards definition of "Building Standard" to indicate that it does not include any regulation, rule, or standard that pertains to a Special Occupancy Park.

➤ **Chapter 644, Statutes of 2006 (Senate Bill No. 1231, Dunn) and Chapter 858, Statutes of 2006 (Assembly Bill No. 2250, Cogdill) are nearly identical legislation that extend the Mobilehome Park Maintenance Inspection program until January 1, 2012 and amend sections 18400.1, 18400.3, 18424, and 18502 of the Health and Safety Code.**

- The Health and Safety Code sections related to the mobilehome park maintenance inspection program are amended to extend the program until January 1, 2012, without increasing the fees for the program. The amendments also remove the requirement to inspect parks every seven years. It limits maintenance inspections generally to those parks with multiple serious health and safety complaints and sets a goal of inspecting 5% of the parks per year.
- Amendments require the task force that provides input to the Department on the conduct and operation of the inspection program to meet every six months rather than at least once a year, and the Department to submit a semiannual report to the task force that includes specified elements of the inspection program.

➤ **Chapter 842, Statutes of 2006 (Assembly Bill No. 1169, Torrico) reenacts provisions to the Civil Code that expired January 1, 2006, relating to the termination of rental contracts for dwellings; to include rented manufactured homes.**

- Section 1946.1 is added to the Civil Code requiring an owner of a residential dwelling, including a rented manufactured home, to give at least 60 days' written notice prior to termination of tenancy or 30 days' written notice if the tenant has resided in the dwelling for less than one year, if the termination notice is "without cause". Additionally, a 30-day notice is permitted if other listed circumstances are satisfied. This section will remain effective until January 1, 2010. This does not apply to mobilehome spaces subject to the Mobilehome Residency Law (MRL).

➤ **Chapter 738, Statutes of 2006 (Assembly Bill No. 2104, Lieber) makes uncodified amendments to the Public Utilities Code relating to the California Alternate Rates for Energy (CARE) program.**

- The Public Utilities Code is amended to require the Public Utilities Commission, by December 31, 2007, to develop specific processes for gas and electric utility companies to directly accept CARE applications from and provide renewal applications for CARE program users. The improved CARE application process is intended to benefit tenants of a mobilehome park, apartment building, or similar residential complex that are receiving electric or gas service through a submetered system from a master-metered utility customer. The amendments also require the serving utility to provide timely notices to management containing an updated list of current CARE recipients, which specifically identify those tenants added to or deleted from CARE

program eligibility since the previous billing cycle. These requirements would remain effective until January 1, 2008.

➤ **Chapter 578, Statutes of 2006 (Assembly Bill No. 2800, Laird) amends Section 798.20 of the Civil Code along with other statutes related to housing discrimination in the Government Code, Business and Professions Code, and Health and Safety Code.**

- Section 798.20 of the Civil Code is amended to reference and incorporate the provisions of the Fair Employment and Housing Act (Section 12955 of the Government Code) that prohibit discrimination based on race, color, religion, sex, marital status, national origin, ancestry, familial status, disability, or sexual orientation in housing accommodations throughout the state. This bill also makes consistent nondiscrimination laws in the Government, Business and Professions, and Health and Safety Codes to prohibit discrimination on the same characteristics as in the Fair Employment and Housing Act.

➤ **Chapter 789, Statutes of 2006 (Assembly Bill No. 2587, Liu) amends the Methamphetamine Contaminated Property Cleanup Act of 2005, contained in the Health and Safety Code commencing with section 25400.10, relating to the cleanup of illegal methamphetamine laboratory activities in mobilehomes, RV's, and within manufactured home communities and special occupancy parks.**

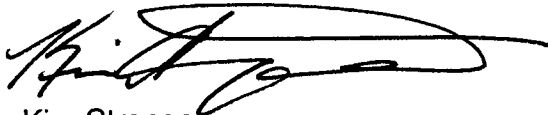
- The amendments require the local health officer to inspect and determine who is responsible for the remediation and cleanup of a mobilehome, manufactured home, or recreational vehicle and the mobilehome park or special occupancy park on which it is located, where illegal methamphetamine manufacture or storage has taken place.

The amendments also authorize a mobilehome park owner or special occupancy park owner to take specified actions including eviction, if the registered owner of a mobilehome, manufactured home, or recreational vehicle does not take the action required by an order issued by a local health officer or does not pay the city or county for specified costs of cleanup. The amendments specify the actions the mobilehome park owner or special occupancy park owner may take to remedy the problem, which may include utilizing an authorized contractor to remove and dispose of the mobilehome, manufactured home, or recreational vehicle.

These amendments also provide authority to the local health department to order the park owner to remediate a unit, if the unit owner does not do so, as well as common areas. It allows the government agency or property owner to file a notice of condemnation lien with the County Recorder, a restraint of title with HCD, or a vehicle license stop with the Department of Motor Vehicles, as appropriate. Various provisions of the Act supersede Mobilehome Residency Law provisions related to notice of eviction, grounds for eviction, and use of a warehouseman's lien.

This summary of legislative changes is not represented to be a complete digest of all new laws affecting persons regulated by the Mobilehome Parks Act, Special Occupancy Parks Act or the Mobilehome Residency Law. Anyone may include a copy of this Information Bulletin in any periodic publications you distribute to your customers, employees, members, and clients. The complete text of each law can be reviewed through the Official California Legislative Information website using the internet address: www.leginfo.ca.gov.

For questions regarding mobilehome or special occupancy park requirements, please contact the Department's Mobilehome and Special Occupancy Parks Program at (916) 445-9471. Questions regarding the Mobilehome Residency Law should be directed to the Office of the Mobilehome Ombudsman at 1-800-952-5275 during its limited hours of operation from 9:00AM to 10:00AM and from 1:30PM to 2:30PM. You may also contact the Department via our web comment at <http://www.hcd.ca.gov/comments/>.

A handwritten signature in black ink, appearing to read 'Kim Strange', with a stylized flourish extending from the end.

Kim Strange
Deputy Director